

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA
Civil No. 08-5348 ADM/JSM

UNITED STATES OF AMERICA,)
)
Plaintiff,)
v.)
)
1. THOMAS JOSEPH PETTERS;)
PETTERS COMPANY, INC.,)
PCI; PETTERS GROUP WORLDWIDE, LLC;)
2. DEANNA COLEMAN aka DEANNA MUNSON;)
3. ROBERT WHITE;)
4. JAMES WEHMHOFF;)
5. LARRY REYNOLDS dba)
NATIONWIDE INTERNATIONAL RESOURCES)
aka NIR;)
6. MICHAEL CATAIN dba)
ENCHANTED FAMILY BUYING COMPANY;)
7. FRANK E. VENNES JR., dba)
METRO GEM FINANCE,)
METRO GEM INC.,)
GRACE OFFERINGS OF FLORIDA LLC,)
METRO PROPERTY FINANCING, LLC,)
38 E. ROBINSON, LLC,)
55 E. PINE, LLC,)
ORLANDO RENTAL POOL, LLC,)
100 PINE STREET PROPERTY, LLC,)
ORANGE STREET TOWER, LLC,)
CORNERSTONE RENTAL POOL, LLC,)
2 SOUTH ORANGE AVENUE, LLC,)
HOPE COMMONS, LLC,)
METRO GOLD, INC.;)
)
Defendants.)
)
DOUGLAS A. KELLEY,)
Receiver,)
)
GARY HANSEN,)
Receiver.)

ORDER FOR AUTHORIZATION TO MAKE PAYMENTS

On February 8, 2010, the Court heard oral argument on the requests of Receiver Douglas A. Kelley (“Receiver Kelley”) [Docket Nos. 851, 855, 859, 863, 867, 871, 875, and 879] to authorize interim payment for professional services. Steven E. Wolter, Esq., Kelley, Wolter & Scott, P.A., Minneapolis, MN, appeared on behalf of Receiver Douglas A. Kelley. Jennifer S. Wilson, Esq., Kelly & Berens, P.A., Minneapolis, MN, appeared on behalf of Ritchie Special Credit Investments, Ltd., Rhone Holdings II. Ltd., Yorkville Investment I, L.L.C., Ritchie Capital Structure Arbitrage Trading, Ltd., and Ritchie Capital Management L.L.C. Assistant United States Attorney Gregory G. Brooker, Minneapolis, MN, appeared on behalf of Plaintiff United States of America. Based on the Receiver’s recommendations, the arguments of counsel at the hearing, and the invoices submitted for the Court’s *in camera* review,

IT IS HEREBY ORDERED THAT:

1. Receiver Kelley’s motions are **GRANTED** as to Docket Nos. 851 and 859, and

Receiver Kelley is authorized to make payments as follows:

- | | |
|-------------------------|--------------|
| a. FTI Consulting, Inc. | \$101,094.25 |
| b. Tonya Rosso | \$5,828.23 |

2. Receiver Kelley’s motions are **GRANTED IN PART** and **DENIED IN PART**¹

as to Docket No. 879, and Receiver Kelley is authorized to make payment as follows:

- | | |
|--|-------------|
| a. Felhaber, Larson, Fenlon & Vogt, P.A. | \$1,284.00. |
|--|-------------|

3. The Receiver is directed to seek reimbursement of the foregoing sums to the

¹ The requested amount was reduced \$165.50 to reflect fees and expenses incurred by more than two attorneys representing Defendant Petters at trial.

extent possible under applicable insurance policies, including directors and officers liability policies maintained by Petters Company Inc., Petters Group Worldwide, LLC or any other related entity.

4. Receiver Kelley's motions are **CONTINUED** as to Docket Nos. 855, 863, 867, 871, and 875. Receiver Kelley and the Government shall confer regarding an agreed-upon level of specificity to be included in pending and future motions to approve professional fees. On or before February 18, 2010, the Receiver and Government shall file with the Court a joint proposal regarding the additional specificity, if any, to be included in pending and future fee petitions.

BY THE COURT:

s/Ann D. Montgomery
ANN D. MONTGOMERY
U.S. DISTRICT JUDGE

Dated: February 9, 2010.